

REMARKS

In the Advisory Action dated March 17, 2008, the Examiner refused to enter the amendment filed on February 8, 2008, asserting that the amendments to the claims would require further consideration and/or search.

In response, Applicants filed an RCE on March 20, 2008 in order to cause the Examiner to enter the previously filed amendments. The reference to arguments made in an Appeal Brief or Reply Brief filed on January 22, 2008 in the RCE is in error and should be ignored. The only submission by Applicants following the Final Action of December 20, 2007 was the Amendment filed on February 8, 2008.

The Examiner did provide some comments in the Advisory Action which are addressed below.

Regarding the Whirlpool article, applicant made the argument that the article does not describe or suggest establishing a product personality for a product series. The photograph does show several related kitchen appliances that have a similar or complementary appearance, but this is different than "establishing a product personality for a product series" as required by the claims. The photograph only demonstrates that it is known to make a series of complementary appearing appliances.

The Examiner objects that applicant discusses the references separately. However, applicant points out that the references each lack the same elements of the claim, therefore even a combination of the references would fail to render the claim obvious.

The Examiner appears to be under the impression that merely making matching appliances is sufficient to render the claims obvious. The claim is not directed to a method of making matching appliances. Rather, the claims clearly define a process or method of making a series of products in which the first step is establishing a product personality for the product series, and subsequently correlating the product personality with a visual characteristic of the product series, and then subsequently making a design of the product based on the correlation and finally, making the product in accordance with the design. Therefore the first step is establishing a product personality, before the product is made. The Whirlpool reference does not teach to establish a product personality, let alone to do so before the product is made. The Abelow reference appears to disclose a method for evolving

a product over time by allowing customers and users to provide feedback regarding the product and service while they are using the product or service (column 9, lines 2-26). If anything, this likely pertains to functional aspects of the product, rather than a personality for the product based on a visual characteristic of the product. Certainly Abelow does not teach to establish such a product personality.

Some of the independent claims define creating a perceptual map having a plurality of axes that are exclusive and differentiated. None of the references teach or suggest such an approach, and the Examiner has not identified where such a teaching exists in any of the references. Other independent claims are discussed and elements of those claims are shown not to exist in either of the references relied on by the Examiner, whether taken singly or in combination.

In view of the foregoing remarks, applicant respectfully submits that the claims of the application define patentable subject matter 35 USC §101 and also define patentable subject matter in view of the references cited by the Examiner. Applicant respectfully requests the Examiner to reconsider the rejections and to indicate all claims as allowed and to pass the application to issue.

Respectfully submitted,

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